

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Task Force Officer Evan Zimrin, being duly sworn do depose and state the following:

PURPOSE OF THE AFFIDAVIT

1. I submit this affidavit in support of a criminal complaint and arrest warrant for Justin Ernest RIGGS ("RIGGS") charging him with the following violations: the Use of Interstate Facilities, in violation of 18 U.S.C. §§ 1952(a)(3) and 1952(b)(1), and MD Code, Criminal Law, § 9-201, Using a Communication Facility to Commit a Drug Felony, specifically aiding and abetting in the Distribution of Controlled Dangerous Substances, in violation of 21 U.S.C. §§ 843(b) and 21 U.S.C. 841(a), and Conspiracy to Distribute Controlled Dangerous Substances, in violation of 21 U.S.C. § 846.

INTRODUCTION AND AFFIANT BACKGROUND

2. I have been a member of the Baltimore Police Department (BPD) since 2013. I am currently assigned as a Task Force Officer (TFO) with the Federal Bureau of Investigation (FBI) Public and Border Corruption Task Force. I have been duly deputized under Title 18 through the United States Marshals Service (USMS), and Title 21 through the FBI.

3. My previous assignments include the BPD Homicide Section (2019-2021), Citywide Robbery Unit (2018-2019), Southern District Detective Unit (2017-2018), and Southeast District Patrol (2013-2017). I have investigated numerous crimes including various types of narcotics violations, weapons violations, aggravated assaults, residential and commercial burglaries, street and commercial robberies, carjackings, suicides, homicides, and police corruption, among others.

4. I have executed or assisted in the execution of numerous search and seizure warrants which have resulted in the recovery of digital records, controlled dangerous substances,

illegal weapons, and various other forms of evidence pertinent to criminal investigations. I have completed the BPD's initial training academy, detective school, and numerous in-service training classes pertaining to criminal investigations among other formal instruction. Additionally, I have completed numerous continuing education courses on federal law, procedure, and other associated topics through the FBI's virtual academy.

5. I am familiar with the facts and circumstances of this investigation. I have personally participated in the investigation of the offenses referred to below and have reviewed reports and had discussions with other law enforcement officers in connection with the investigation.

6. This affidavit is intended to show only that there is sufficient probable cause for the requested criminal complaint and does not set forth all my knowledge about this matter. The facts set forth in this affidavit are based on my own personal knowledge; knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers, witnesses and confidential human sources; a review of records related to this investigation; communications with others who have knowledge of the events and circumstances described herein; and information gained through my training and experience.

STATEMENT OF PROBABLE CAUSE

Justin Ernest RIGGS

7. RIGGS is a white male with a Date of Birth (DOB) of [REDACTED]. He currently resides at [REDACTED]. RIGGS is currently a sworn trooper with the Maryland State Police (MSP) and has been since February 14, 2012. He has been assigned to multiple patrol and investigative units throughout his career. He is currently assigned

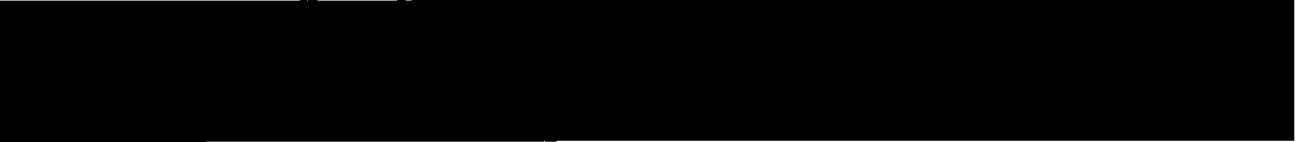
to Western Region Enforcement - Narcotics Section (WRENS). RIGGS operates an MSP issued silver 2020 Nissan Pathfinder.

Background of Ongoing Drug Trafficking Investigation

9.

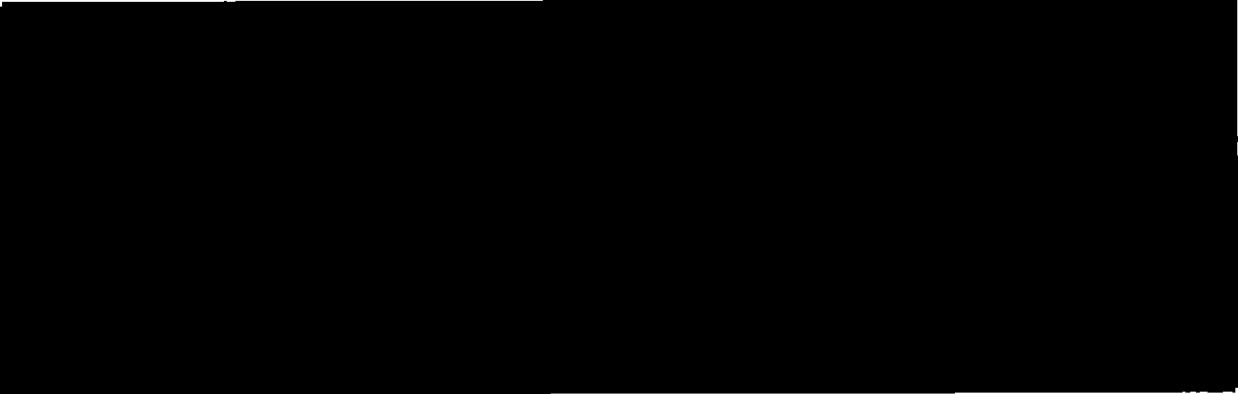
[REDACTED] WRENS had been utilized extensively by investigators to assist in the MSP investigation of the DTO. At all times during this portion of the investigation, RIGGS was a member of the MSP WRENS squad that assisted with these controlled purchases.

11. In August of 2022, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and Department of Homeland Security, Homeland Security Investigations (HSI) joined the MSP investigation of the DTO.



Leak of Information by RIGGS to Drug Distributor 1

13. [REDACTED]



[REDACTED]" The person believed by investigators to be RIGGS informed Drug Distributor 1 that he was a member of federal law enforcement and wanted \$[REDACTED] for information.



Contained in the messages was law enforcement sensitive information including, but not limited to: (1) the existence of an ongoing investigation targeting Drug Distributor 1; (2) the presence of

a tracker [REDACTED] (3) details of an aborted attempt by two law enforcement officers to put another tracker on Drug Distributor 1's vehicle [REDACTED]; (4) the presence of an informant within the DTO; and (5) [REDACTED].

Investigators know all five facts provided to Drug Distributor 1 by the person believed to be RIGGS were true. Drug Distributor 1 said that the individual who contacted him was looking for "■K" for "everything," including "serious info and proof of whose doing you all real dirty." Additionally, RIGGS stated that there is a "RICO" investigation of Drug Distributor 1 and another individual.

[REDACTED]

15. On Friday, December 24, 2022, the Federal Bureau of Investigation (FBI) joined the MSP, ATF and HSI investigation of the DTO in order to assist with identifying the person who leaked the information to Drug Distributor 1 about an active and ongoing federal investigation.

16. [REDACTED]

[REDACTED]

17.

[REDACTED]

[REDACTED]

18. Later that day, at 7:53 PM, investigators made their usual notifications to WRENS to ask for support to replace the GPS tracker on Drug Distributor 1's truck. No other units or individuals were notified. Due to safety concerns, investigators intended to cancel the attempt to replace the tracker prior to execution and were only making their usual notifications to avoid arousing suspicion.

19.

[REDACTED]

20. [REDACTED]

Investigation of RIGGS

21. [REDACTED]

22. Through legal process, investigators discovered that RIGGS had five credit cards listed on his Equifax credit report. As of December 2022, all five credit cards were at or exceeding their credit limit with a total obligation of over \$34,000 and a minimum monthly payment of \$1,385. His debt obligations, excluding his mortgage, vehicle loans and educational loans, exceed \$67,000.

[REDACTED]

24. Later that day, investigators received the results of a search and seizure warrant targeting SUBJECT FACEBOOK ACCOUNT, which was authorized earlier that day by the Honorable J. Mark Coulson, United States Magistrate for the District of Maryland. From that return, investigators discovered that SUBJECT FACEBOOK ACCOUNT was created on

December 19, 2022 with the verified phone number [REDACTED] (SUBJECT TELEPHONE 2)³.

According to the returned data from Facebook, the messages between SUBJECT FACEBOOK ACCOUNT and Drug Distributor 1 were consistent with the information investigators had already obtained.



26. Beginning on Friday, December 30, 2022, and ongoing through Friday, January 6, 2023, Drug Distributor 1 began communication with the person believed to be RIGGS [REDACTED] [REDACTED] using Facebook Messenger through the SUBJECT FACEBOOK ACCOUNT. [REDACTED], Drug Distributor 1 stated to RIGGS: "doubt u r being fed lies cause now I'm hear shit on my fucking phone and this shits bothering me. Who if feeding u these lies man. Drop the phone or call me. Shits old but I now want answer. I can't get that kind of money but I want answers man. Give me something \$\$\$."

27. On Monday, January 2, 2023, RIGGS responded and began to negotiate a price with Drug Distributor 1 through Tuesday, January 3, 2023. The following is a portion of the conversation that occurred between RIGGS and Drug Distributor 1 from January 2-3, 2023:

³ Through legal process, SUBJECT TELEPHONE 2 was found to be subscribed [REDACTED] [REDACTED] beginning on December 19, 2022.

RIGGS: I can't answer without payment. Even a small payment I can get you your answers

Drug Distributor 1: I can get \$1200

RIGGS: Can you do \$2000?

Drug Distributor 1:

[REDACTED]
[REDACTED] but it ain't got nothing to do with me man I don't even got it like that I can try

Drug Distributor 1: I got \$1500 and let u know where I put it.

[Tuesday, January 3, 2023]

RIGGS: Okay. Just put it in a grocery bag and drop it off at [REDACTED] [REDACTED] smithsburg. There's an old cabin there. Across from the cabin in a small foot bridge. Just set it in the woods by the foot bridge

RIGGS: I'll go ahead and give you the info. I trust you'll drop the money and won't screw me

RIGGS: I can't answer without payment. Even a small payment I can get you your answers

Drug Distributor 1: I've been waiting on this info you said you were going to send so I can drop this money off.

RIGGS: So the one who is putting this case on you drives [REDACTED]

RIGGS: A good way to get him would be to sell him fake shit and later on ask him how it was

Later in the conversation:

RIGGS: If you make the 1500 drop then I'll just give ya the rest of the info and you can make the 300 drop

RIGGS: Every buy he's done hasbeen recorded. The audio conversations have been recorded. But he plans on testifying on ya...

28. As a part of a ruse, on or about January 3, 2022, at the direction of FBI investigators, the WRENS team received communication requesting that they provide scheduling information for a briefing. They were told, there was going to be a coordination meeting about investigation that was going to involve a wiretap beginning on or about February 1st. Specifically, the WRENS team, comprised of four troopers, including RIGGS, were told that the meeting would occur in February. RIGGS is the only member of the team who is not aware of the existence of the FBI investigation into the leak of information to Drug Distributor 1. The following is a portion of that conversation between RIGGS and Drug Distributor 1, which is a continuation of the ongoing conversation on January 3, 2022:

RIGGS: They're going up on a wire tap on your phone [REDACTED]. So everything will be monitored. Any call or text to another member will drag them into the Rico case....

RIGGS: So they'll be executing search warrants on your house, [REDACTED], and your dealers spots about a month or so after...

RIGGS: Just stop. That's the info for that price. It's up to you as to how you want to proceed and do what you gotta do. There's about tenfolds more info but that all requires more money. Each buy he does from you we put a tracker on his truck as well as follow him away from your place. Just fyi in case you try to tail him or something keep that in mind. But that's only for the buys. It's not all the time....

Investigators know this information provided by RIGGS [REDACTED] to be accurate about the federal investigation into the DTO.

[REDACTED]

[REDACTED]

30. Later that day, Drug Distributor 1, [REDACTED] informed RIGGS that he had left \$1,800 in US currency behind the dumpsters in the rear of the Red Roof Inn Hagerstown – Williamsport located at 310 E Potomac St, Williamsport, MD 21795.

31. On Wednesday, January 4, 2023, the Honorable Matthew J. Maddox, United States Magistrate Judge for the District of Maryland, authorized a number of search and seizure warrants including one for the real-time location data for SUBJECT TELEPHONE 2.

32. On the morning of Thursday, January 5, 2023, investigators placed \$1,800 in US currency provided by the FBI behind the dumpsters in the rear of the Red Roof Inn. That area was then placed under constant surveillance. A review of data from a PEN register order targeting SUBJECT TELEPHONE 2 authorized the previous day began to show activity consistent with internet usage beginning at 7:22 AM, and again at 7:58 AM and 9:19 AM.

33. On Thursday, January 5, 2023, at approximately 7:59 AM, Drug Distributor 1 messaged RIGGS through the SUBJECT FACEBOOK ACCOUNT and stated: “The money is there man [...] and I’m not going back to get it....”

34. At approximately 9:52 AM, a silver Nissan [REDACTED] stopped near the dumpsters of the Red Roof Inn. [REDACTED] male driver w[REDACTED] exited the vehicle, walked behind the dumpsters, bent over, and reached towards the ground where the FBI provided US currency was hidden. The driver then returned to his vehicle and drove away eastbound. Investigators visually observed the driver and noted that the Nissan [REDACTED] was bearing [REDACTED]

[REDACTED] Investigators on scene were promptly shown [REDACTED] driver's license photo and positively identified him as the driver of the Nissan [REDACTED] [REDACTED]

[REDACTED] Investigators then confirmed that the FBI provided US currency was no longer behind the dumpsters. No other individuals were observed in the area where the FBI provided US currency was hidden.

35. At approximately 10:49am, location data for SUBJECT TELEPHONE 2 showed that it was likely within .3685 miles, or less than 2,000 feet, of mile marker 27 on I-70. The Red Roof Inn used as the location for the money drop and MSP Barrack O⁴ that RIGGS works out of are approximately 6 miles apart, and mile marker 27 on I-70 is the approximate halfway point between them along the most direct route. MSP official(s) informed investigators that RIGGS was on duty and working from Barrack O on the morning of Thursday, January 5, 2023.

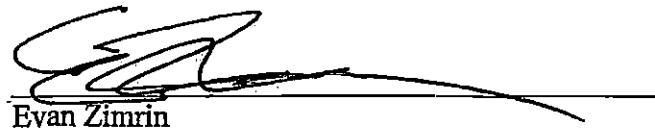
36. At approximately 10:20 AM, after [REDACTED] left the vicinity of the Red Roof Inn, RIGGS messaged back: "Okay I'll get it sometime. What else do you need." Drug Distributor 1 responded,

⁴ MSP official(s) provided Hagerstown – Barrack O located at 18345 Col Henry K Douglas Dr, Hagerstown, MD 21740 as RIGGS' assigned duty station.

again at the direction of investigators: "run one of my dudes for a warrant" and RIGGS responded "Okay I can do that."

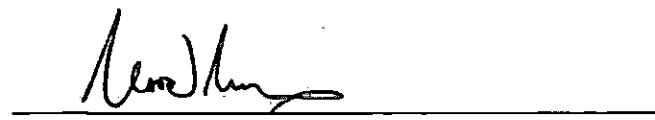
37. On Friday, January 6, 2023, RIGGS responded and said, "[...] No warrants." Drug Distributor 1 then provided another name for RIGGS to run for a warrant check and then asked RIGGS if he received the money, "I'm figuring u got that \$\$\$\$??" RIGGS confirmed that he did receive the money and stated, "Yeah got it. Okay."

38. Based on the facts set forth in this affidavit, there is probable cause to believe that Justin RIGGS committed, is committing, and will continue committing the Use of Interstate Facilities, in violation of 18 U.S.C. §§ 1952(a)(3) and 1952(b)(1), and MD Code, Criminal Law, § 9-201, Using a Communication Facility to Commit a Drug Felony, specifically the aiding and abetting in the distribution of controlled dangerous substances, in violation of 21 U.S.C. § § 843(b) and 21 U.S.C. 841(a), and conspiracy to distribute controlled dangerous substances, in violation of 21 U.S.C. § 846, beginning in December 2022 through January 6, 2023.



Evan Zimrin
Task Force Officer, Federal Bureau of Investigation

Affidavit submitted by email and attested to me as true and accurate by telephone consistent with Fed. R. Crim. P. 4.1 and 4(d) on this 6th day of January 2023.



MATTHEW J. MADDOX
UNITED STATES MAGISTRATE JUDGE